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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/712,308	11/13/2000	Shell S. Simpson	10007660-1	8633

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/712,308	Applicant(s) SIMPSON ET AL.	
	Examiner Stephen M. Brinich	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1, 4, 7-8, 10-15, & 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Maekawa et al.

Re claims 1, 4, 7-8, 10-13, 15, & 17, Maekawa et al discloses (Figures 4-9 and column 5, line 62 - column 10, line 44; particularly column 5, line 64 - column 6, line 6; column 7, lines 12-16; and column 9, line 49-59) an arrangement in which a computer sends instructions to a printer which are executed by the printer to carry out print jobs (in which the printer generates a hard copy representation of data representing an image), and the printer sends instructions (a status indication signal) which are executed by the computer to generate the display of a print status page that reflects this status indication signal.

Re claim 3, the instructions are an "agent" of the printer, insofar as they are agents through which the computer generates a print status display in response to the printer's instructions.

Re claim 14, Maekawa et al discloses (Figure 5) that the printer and computer are connected by a network.

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Claim Rejections - 35 USC § 103

3. Claims 5-6, 9, 16, & 18-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maekawa et al.

Re claims 5-6, 9, 16, & 18-23, Maekawa et al does not disclose the specific recited formats for the instructions (HTML, Javascript, or C-Sharp code) or the print status page (Web page).

The selection of a particular known format for conveying or displaying information would be a selection among equivalents of a type judicially recognized as obvious to one of ordinary skill in the art unless the reason for selecting one equivalent over another was to solve an existent problem (*In re Ruff*, 118 USPQ 343).

Response to Arguments

4. Applicant's arguments filed 11/28/05 have been fully considered but they are not persuasive.

Re claims 1, 4, 7-8, 11-13, 15, & 17, Applicant argues (11/28/05 Response: page 8, line 21 - page 9, line 9; page 10, lines 3-12; page 11, lines 3-6 & 13-16; page 13, lines 9-15; page 14, lines 2-9 & 10-13; and page 15, lines 5 & 14-17) that Maekawa discloses a printer that transfers information, but not executable instructions, to an external computer.

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However, it is not clear how the claim recitation of "executable instructions" distinguishes over the case where an item of information serves as an "instruction" to place a certain datum rather than another (i.e. to display the current status rather than the previous status).

Re claim 10, Applicant argues (11/28/05 Response: page 12, lines 6-15) that the "generic access request" of the present invention does not include the location of the target data that is to be accessed by a client in response to the request.

However, the recitation of the "generic access request" in the present claim language is silent on the issue of the location of target data. Thus, it would be readable upon either the case where such target data was, or was not, included.

Re claim 19, Applicant argues (11/28/05 Response: page 17, lines 8-13) that the art of record does not teach or suggest the display of data in a Web page format.

As noted above, the use of one standard display format (e.g. HTML Web page format) rather than another (given that a page of some format is taught by the art of record) would be a substitution of equivalents of a type judicially recognized as obvious to one of ordinary skill in the art.

Re claims 4-6, 8-10, & 13-18, Applicant argues (11/28/05 Response: page 9, lines 13-15; page 11, lines 8-10 & 18-20; page

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14, lines 11-15 & 17-19; page 15, lines 2-4 & 8-10; and page 16, lines 2-4, 7-9, & 12-14) that these claims are allowable for the same reasons as their respective parent claims.

The arguments re these parent claims have been addressed above.

Conclusion

5. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.


The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

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Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Stephen M Brinich
Examiner
Art Unit 2624

smb
February 1, 2006